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Attorneys for KB HOME

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

HUGO ZALDANA, individually, and on behalf )  
of all others similarly situated, )

Plaintiffs, )

v. )

KB HOME, a Delaware corporation; FIRST )  
AMERICAN TITLE COMPANY, a California )  
corporation; FIRST AMERICAN TITLE )  
INSURANCE COMPANY, a California )  
corporation; FIRST AMERICAN )  
CORPORATION, a Delaware corporation; )  
COUNTRYWIDE FINANCIAL )  
CORPORATION, a Delaware corporation; )  
COUNTRYWIDE HOME LOANS, a Delaware )  
corporation; COUNTRYWIDE MORTGAGE )  
VENTURES, LLC and COUNTRYWIDE KB )  
HOME LOANS, an unincorporated association )  
of unknown form.

Defendants.

Case No. CV-08-3399 MMC

(Judge Maxine M. Chesney)

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO RESCHEDULE DATE  
FOR FILING REPLY BRIEFS**

**STIPULATION**

WHEREAS, this action was originally filed on July 15, 2008;

WHEREAS, Plaintiffs filed a Third Amended Complaint on September 1, 2009

WHEREAS, defendants First American Title Company, First American Title Insurance Company and First American Corporation and defendant KB Home filed Motions to Dismiss a portion of the Third Amended Complaint on October 1, 2009 and Plaintiff filed his opposition on November 2, 2009;

WHEREAS, pursuant to a Joint Stipulation entered as an Order of this Court on August 31, 2009 and by further agreement of the parties, reply briefs in support of the Rule 12 motions are due on November 16, 2009 and a hearing is scheduled for December 11, 2009;

WHEREAS, lead counsel for KB Home has experienced a family emergency in that her mother has become gravely ill;

WHEREAS, counsel for KB Home has explained the situation to all counsel of record and Plaintiff's counsel has agreed to extend the date to file reply briefs in support of the Rule 12 motions to Monday, November 23, 2009;

WHEREAS, extending the date by which reply briefs must be filed will not effect the case schedule because the parties do not seek to modify the currently scheduled hearing date and the reply briefs will be filed no less than 18 days before the scheduled hearing.

WHEREFORE, in light of the unforeseen circumstances, the parties hereby agree and stipulate, and request that the Court extend the date to file reply briefs in support of the Rule 12 Motions to Monday, November 23, 2009.

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**STIPULATION**

**IT IS SO STIPULATED.**

DATED: November 12, 2009

HAGENS BERMAN SOBOL SHAPIRO LLP

By /s/ Thomas E. Loeser  
Thomas E. Loeser  
Attorneys for Plaintiffs HUGO ZALDANA  
individually, and on behalf of all others similarly  
situated

DATED: November 12, 2009

REED SMITH LLP

By /s/ Jame M. Neudecker  
Marshall C. Wallace  
James M. Neudecker  
Attorney for Defendant FIRST AMERICAN TITLE  
COMPANY, FIRST AMERICAN TITLE  
INSURANCE COMPANY, and FIRST  
AMERICAN CORPORATION

DATED: November 12, 2009

BRYAN CAVE LLP

By /s/ Jennifer A. Jackson  
Robert E. Boone III  
Jennifer A. Jackson  
Attorneys for Defendant COUNTRYWIDE  
FINANCIAL CORPORATION, COUNTRYWIDE  
HOME LOANS, COUNTRYWIDE MORTGAGE  
VENTURES, LLC, and COUNTRYWIDE KB  
HOME LOANS

DATED: November 12, 2009

K & L GATES LLP

By /s/ Stacey L. Gorman  
Stacey L. Gorman  
Attorney for Defendant KB HOME

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2 ECF CERTIFICATION: Stacey L. Gorman, the filer of this ECF Document, hereby certifies  
3 that the concurrence to this stipulation has been obtained by ECF registrants Thomas E. Loeser,  
4 James M. Neudecker, and Jennifer A. Jackson on behalf of their respective clients in this case.

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6 /s/ Stacey L. Gorman

Stacey L. Gorman

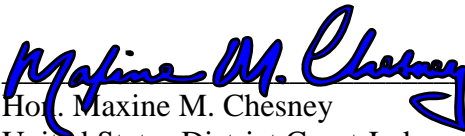
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**ORDER**

Pursuant to the stipulation of the parties, and good cause appearing therefore, the Court's August 31, 2009 Order Re: Filing of Third Amended Complaint and Briefing Schedule shall be modified to extend the date for filing of Reply Briefs to November 23, 2009.

**IT IS SO ORDERED**

Dated: November 16, 2009

  
Hon. Maxine M. Chesney  
United States District Court Judge